



# Zielke Law Firm PLLC

ATTORNEYS AT LAW

1250 MEIDINGER TOWER  
462 SOUTH FOURTH AVENUE  
LOUISVILLE, KY 40202-3465  
(502) 589-4600 • Fax (502) 584-0422  
WWW.ZIELKEFIRM.COM

March 7, 2008

Rolando E. Bascumbe  
Associate Regional Counsel  
EPA, Region 4  
61 Forsyth St. SW  
Atlanta, Georgia 30303

**Re: The Louisville & Jefferson County Metropolitan Sewer District  
Lee's Lane Landfill Costs**

Dear Mr. Bascumbe:

On November 28, 2007, I wrote to you regarding the Lee's Lane Landfill in Louisville, Kentucky. The US EPA asked the Louisville & Jefferson County Metropolitan Sewer District, whom I represent, to provide it with information regarding its costs incurred on work, maintenance and monitoring the Lee's Lane Landfill. We provided that information on July 25, 2007.

As of July 25, 2007, MSD has spent \$555,558.30. In 1991 dollars, that amount is \$432,427.79. The Administrative Order on Consent, US EPA Docket No. 91-32-C, which defines MSD's responsibilities in regard to Lee's Lane, states that MSD's obligations to perform the operation and maintenance work listed below "shall be subject to a present value monetary cap of \$250,000." This cap does not include certain quarterly sampling. MSD has met and exceeded its obligation.

In that MSD has met its obligation and is no longer subject to the information provisions of the consent decree, we are requesting information as to what activities the EPA will be engaging in going forward, and what role, if any, which EPA would like MSD to participate. Toward that end, MSD is requesting a meeting within the next two weeks. Please call me at your earliest convenience.

Sincerely,

Janice M. Theriot



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**ZIELKE LAW FIRM PLLC**

cc: Bud Schardein, Executive Director, MSD  
Derek Guthrie, Chief Engineer, MSD  
Saeed Assef, Maintenance and Infrastructure